

Article - Local Government

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§5–103.

- (a) In this section, “junkyard” means:
 - (1) a public or private dump;
 - (2) an automobile junkyard;
 - (3) an automotive dismantler or recycler facility;
 - (4) a scrap metal processing facility;
 - (5) an outdoor place where old motor vehicles are stored in quantity or dismantled; or
 - (6) a lot on which refuse, trash, or junk is deposited.
- (b) An ordinance adopted under this section does not apply to a business licensed on or before June 30, 2004, as an automotive dismantler and recycler or a scrap processor under § 15–502 of the Transportation Article.
- (c) By ordinance, the legislative body of a municipality may regulate the location and operation of junkyards in the municipality to:
 - (1) protect the residents of the municipality from unpleasant and unwholesome conditions and deteriorating neighborhoods;
 - (2) preserve the beauty and aesthetic value of rural or residential areas;
 - (3) safeguard the public health and welfare;
 - (4) promote good civic design; and
 - (5) promote the health, safety, morals, order, convenience, and prosperity of the community.
- (d) The ordinance may:

(1) require that each person who operates or maintains a junkyard obtain an annual license; and

(2) provide for a reasonable fee for a license.

(e) (1) Before adopting an ordinance under subsection (c) of this section, the legislative body of the municipality shall hold a public hearing.

(2) An ordinance adopted in violation of this subsection is void.

(f) The legislative body of the municipality shall publish notice of the date, time, and place of the public hearing in a newspaper of general circulation in the municipality not less than four times, at weekly intervals, within a period of at least 30 days before the date of the hearing.

(g) (1) A person who violates an ordinance adopted under this section is guilty of a misdemeanor and on conviction is subject to a fine of not less than \$25.

(2) Each day that a violation continues is a separate offense.

(h) The legislative body of the municipality may declare a violation of an ordinance adopted under this section to be a municipal infraction under Title 6, Subtitle 1 of this article.

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